

Introduced by Senator Roth

February 22, 2013

An act to amend Section 399.18 of the Public Utilities Code, relating to public utilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 548, as introduced, Roth. Public utilities: renewables portfolio standard: publicly owned electric utility.

Under existing law, the Public Utilities Commission (PUC) has regulatory authority over public utilities, including electrical corporations, as defined, while local publicly owned electric utilities, as defined, are under the direction of their governing boards. The existing California Renewables Portfolio Standard Program (RPS program) requires a retail seller of electricity, as defined, and local publicly owned electric utilities to purchase specified minimum quantities of electricity products from eligible renewable energy resources, as defined, for specified compliance periods, sufficient to ensure that the procurement of electricity products from eligible renewable energy resources achieves 20% of retail sales for the period January 1, 2011, to December 31, 2013, inclusive, 25% of retail sales by December 31, 2016, and 33% of retail sales by December 31, 2020, and in all subsequent years. The RPS program, consistent with the goals of procuring the least-cost and best-fit eligible renewable energy resources that meet project viability principles, requires that all retail sellers procure a balanced portfolio of electricity products from eligible renewable energy resources, as specified (portfolio content requirements). For electrical corporations meeting specified conditions, existing law provides that electricity products from eligible renewable

energy resources may be used for compliance with the portfolio content requirements if specified conditions are met.

This bill would additionally provide that, for a publicly owned electric utility in existence on or before January 1, 2010, that provides 200,000 megawatt-hours or fewer of electricity to retail end-use consumers in its service territory during a calendar year, electricity products from eligible renewable energy resources may be used for compliance with the portfolio content requirements.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 399.18 of the Public Utilities Code is
2 amended to read:

3 399.18. (a) This section applies to an ~~electrical corporation~~
4 ~~that as of January 1, 2010, met either~~ *electric utility that meets any*
5 of the following conditions:

6 (1) ~~Served~~ *An electrical corporation that, as of January 1, 2010,*
7 *served* 30,000 or fewer customer accounts in California and had
8 issued at least four solicitations for eligible renewable energy
9 resources prior to June 1, 2010.

10 (2) ~~Had~~ *An electrical corporation that, as of January 1, 2010,*
11 *had* 1,000 or fewer customer accounts in California and was not
12 connected to any transmission system or to the Independent System
13 Operator.

14 (3) *A local publicly owned electric utility that was in existence*
15 *on or before January 1, 2010, and that provides 200,000*
16 *megawatt-hours or fewer of electricity to retail end-use customers*
17 *in its service territory during a calendar year.*

18 (b) For an ~~electrical corporation~~ *electric utility described in*
19 *subdivision (a)* or its successor, electricity products from eligible
20 renewable energy resources may be used for compliance with this
21 article, notwithstanding any procurement content limitation in
22 Section 399.16, provided that both of the following conditions are
23 met:

24 (1) The ~~electrical corporation~~ *electric utility described in*
25 *subdivision (a)* or its successor participates in, and complies with,
26 the accounting system administered by the Energy Commission
27 pursuant to subdivision (b) of Section 399.25.

1 (2) The Energy Commission verifies that the electricity
2 generated by the facility is eligible to meet the requirements of
3 Section 399.15.

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